

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MEYNARD DESIGNS, INC. AND  
EARTH VISIONS INC.,

Plaintiffs and Counterclaim  
Defendant,

v.

EARTH PRODUCTS INC.,

Defendant and  
Counterclaim Plaintiff.

EARTH PRODUCTS INC.

Third Party Plaintiff,  
Counterclaim-Defendant

v.

PLANET,  
INC.

Third-Party Defendant,  
Counterclaim-Plaintiff

CIVIL ACTION NO. 05 CV 11781  
NMG

**Earth, Inc.'s Certification Pursuant to Local Rule 16.1(D)(3)**

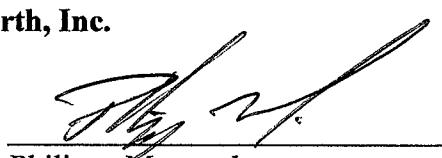
Earth, Inc.'s<sup>1</sup> counsel and Earth, Inc.'s authorized representative affirm, pursuant to Local Rule 16.1(D)(3), that they have conferred with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation. They further affirm they have conferred and considered the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

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<sup>1</sup> Earth, Inc. was formerly named Earth Visions Inc.

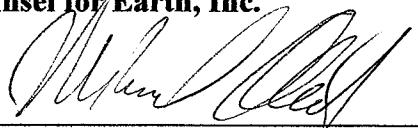
**Earth, Inc.**

By



Philippe Meynard  
President

**Counsel for Earth, Inc.**



Michael Albert, BBO # 558566  
[malbert@wolfgreenfield.com](mailto:malbert@wolfgreenfield.com)

David Wolf, BBO # 532160  
[dwolf@wolfgreenfield.com](mailto:dwolf@wolfgreenfield.com)

Laura Topper, BBO # 652364  
[ltopper@wolfgreenfield.com](mailto:ltopper@wolfgreenfield.com)

WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210  
Tel. 617 646.8000  
Fax 617 646.8646